

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57502 of 2023

Arising Out of PS. Case No.-44 Year-2023 Thana- PIRI BAZAR District- Lakhisarai

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ARVIND YADAV S/o- LATE RAMRUP YADAV Village- Lahsorawa Ps- Piri
Bazar Dist- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rabi Bhushan, Advocate

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 31-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Piri Bazar P.S. Case No. 44 of 2023 for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act lodged on 11.4.2023 by the informant, Sanjay Kumar Singh.

As per the prosecution story, the allegation is that from the dickey of the motorcycle 15 liters of country made liquor was recovered/seized and the present petitioner was apprehended which followed the IR.

It is the case of the petitioner that only because he has criminal antecedent, the police picked him up and planted this theory for which he has already suffered by being in custody since 11.4.2023 (para-10 of the petition).



Learned APP opposes the prayer the prayer for bail.

Considering the submission put forward by the learned counsel for the petitioner as also his period of custody , this Court is inclined to extend him the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional District and Sessions Judge-4th cum Special Excise Court-I, Lakhisarai, in connection with Piri Bazar P.S. Case No. 44 of 2023 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or



promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(v) the petitioner shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is
allowed.

(Rajiv Roy, J)

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